

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

HAROLD WAYNE NICHOLS,)
Plaintiff,) **CAPITAL CASE**
v.) **Case No. 3:25-cv-00442**
JONATHAN SKRMETTI, et al.,) **JUDGE RICHARDSON**
Defendants.)

JOINT MOTION FOR LIMITED AGREED PROTECTIVE ORDER

Pursuant to Fed. R. Civ. P. 26(c), Plaintiff Harold Wayne Nichols and Defendants Attorney General Jonathan Skrmetti, Commissioner Frank Strada, and Warden Kenneth Nelsen¹ jointly move for entry of the attached Agreed Protective Order to facilitate the exchange of information, maintain the confidentiality of discovery material, and preserve judicial and party resources by limiting potential discovery disputes.

The Commissioner recently signed a new lethal injection protocol. The Department of Correction has released a redacted version of the lethal injection protocol to the public, but it has withheld some information in the protocol as confidential. In the interest of judicial economy, Defendants are willing to provide Plaintiff an unredacted copy of the protocol prior to the initiation of discovery under conditions sufficient to protect the confidentiality of the redacted information.

Additionally, the parties believe that the entry of a general protective order that permits them to classify and turn over discoverable documents is beneficial. Entry of the Agreed Protective

¹ Defendants Commissioner Strada and Warden Nelsen have not been properly served yet. They do not consent to jurisdiction of the Court without proper service.

Order will allow the parties to protect confidential information while enabling them to make timely productions without court intervention. The parties have conferred and have mutually agreed to the terms of the proposed order attached to this motion. However, this agreement does not constitute a waiver of any claims or defenses for either party.

Pursuant to the parties' agreement and for good cause shown, the parties request that the Court enter the attached Agreed Protective Order under Fed. R. Civ. P. 26(c).

Respectfully submitted,

JONATHAN SKRMETTI
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CERTIFICATE OF SERVICE

I certify that on the 21st day of May, 2025, a copy of the foregoing was filed and served via the Court's CM/ECF system on the following:

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